



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

June 17, 2016

Waiver 16-06-012

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Teresa J. Perez is a School Community Health Nurse with the Public Health Services Division at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by Shady Grove Adventist Hospital as a staff nurse in the Pediatric Emergency Room.

DHHS contracts with Shady Grove Adventist Hospital in connection with the hospital's Women's Cancer Control Program. Ms. Perez's outside employment with Shady Grove Adventist Hospital has no relationship to the contracts DHHS has with the hospital, and her employment with DHHS as a School Community Health Nurse does not involve the monitoring or negotiation of the Shady Grove Adventist Hospital contracts with DHHS.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Perez not referring, in her County capacity, DHHS clients to Shady Grove Adventist Hospital.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Perez.

For the Commission:

Steven Rosen, Chair

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